
CURRENT LICENSING ISSUES IN PSYCHOLOGY

Washington State Examining Board of Psychology

Spring 1999

Board Chair Column

I very much appreciate the confidence and trust the Board members have placed in me by electing me chair for 1999. The chair position is one of tremendous responsibility and opportunity. With the help of our very capable cadre of Board members and staff I look forward to a challenging, but successful, year ahead. Carlton Glenn is our new vice-chair, and his perspective as public member will continue to remind us what the Board's mission is all about.

The Board is pleased to announce the lowering of license renewal, and other fees this year. For the past several years, regulatory boards have been required to be self-supporting. A number of factors may have contributed to the fee reductions. The Board has become more efficient in its

meeting time, now typically one day per month rather than two. Our complaint review process has been streamlined, in that the evaluation and investigation processes must be completed within certain timelines. Margaret Gilbert, staff attorney for the Psychology Board, has been one of the major architects of this process. Finally, costs of complaint review and investigation are kept in line simply by the ethical and competent practice of the profession at large.

Over the past few months, four Board members have completed their terms. Many thanks to Arreed Barabasz, Mark Soelling, Diane Fligstein (each of whom served as Board Chair), and to Shirley Feldman-Summers, who served as our newsletter editor. Their dedicated

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Board chair Column

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service to the profession and public, through responsible and at times arduous roles as Board members, can probably only be appreciated fully by their fellow Board members and staff. Again, appreciation and thanks to all four, and best wishes.

Welcome again to the newer Board members, Joanne Ito and Glen Frese, who were appointed last June. As of February 1999, the two newest

members are Gloria Koepping and Dean Funabiki. All four new members have extensive and excellent records of professional achievement and public service. Their input and participation will significantly contribute to the Board's ongoing role in evaluating complaints, rule-making, and examination of candidates. Lisa Richesson, public member, will be our newsletter editor. Many thanks to Lisa for taking on this responsibility. ❖

*- John Ernst, Ph.D., ABPP
Chair*

Timelines

Previous articles in this newsletter have described rulemaking activity undertaken by the Department of Health to adopt timelines for processing complaints and disciplinary cases. The draft rules were reviewed by boards and by interested parties during the fall and are currently under revision in consultation with the Attorney General's Office. Adoption and complete implementation is anticipated soon.

Even without adopted rules, the Examining Board of Psychology has made several process changes to assure prompt handling of complaints and cases. These changes will help the Board meet the timelines.

A panel of three Board members meets every week by telephone conference call to assess reports. The assessment panel reviews an anonymous summary of the report, receives the staff recommendations,

and makes the decision regarding whether the report should be investigated. The decision is based on jurisdiction, possible violation, and threshold criteria, as reported elsewhere in this newsletter. The work of the assessment panel assures that new reports are reviewed and either closed or forwarded for investigation within 14 days.

After investigation, the Board reviews anonymous summaries of the case and makes a case disposition decision. The decision can be to close the case without action or to take some action, either formal or informal. Generally, these reviews take place at Board meetings. The Board has now added case disposition panel meetings in months when there is no Board meeting. These additional sessions assure that cases are promptly reviewed and a decision made as soon as possible. ❖

New Board Members

Dean Funabiki, Ph.D.

Dean Funabiki has been involved in clinical psychology in the Northwest since 1977. He taught and provided clinical services at Washington State University for ten years. He graduated from Stanford University in 1973 and holds a doctorate in clinical psychology from the State University of New York at Stony Brook. His primary research interest is affective disorders. He has been in private practice in Pullman, Washington since 1982, and he is also licensed in Idaho and California. Dean is a private pilot, who also enjoys woodworking and sports. With his wife and two daughters, he participates in USA Track & Field and local tennis tournaments.

Gloria Rose Koepping, Ph.D.

Gloria Rose Koepping earned her Ph.D. in counseling psychology in 1987 at Southern Illinois University at Carbondale, Illinois. She has experience in university counseling centers, community mental health, and private practice. Since 1988, she has held a faculty position at Highline Community College in the Counseling Center, where she conducts psychotherapy, provides consultation to other faculty and staff, directs the Testing Center, and teaches in the Education Department. ❖

Examination Results

Oral Examination Results

| | Mar. 1997 | July 1997 | Jan. 1998 | July 1998 |
|---------------------------|-----------|-----------|-----------|-----------|
| Total Number Tested | 20 | 30 | 40 | 47 |
| First Time Takers | 16 | 27 | 34 | 42 |
| Passed | 14 | 19 | 26 | 34 |
| Failed | 2 | 8 | 8 | 8 |
| Retakes | 4 | 3 | 6 | 5 |
| Passed | 3 | 2 | 6 | 5 |
| Failed | 1 | 1 | 0 | 0 |

Written Examination Results

| | Apr. 1997 | Oct. 1997 | Apr. 1998 | Oct. 1998 |
|---------------------------|-----------|-----------|-----------|-----------|
| Total Number Tested | 29 | 29 | 39 | 33 |
| First Time Takers | 25 | 20 | 34 | 32 |
| Passed | 17 | 17 | 33 | 23 |
| Failed | 8 | 3 | 1 | 9 |
| Retakes | 4 | 9 | 5 | 1 |
| Passed | 2 | 6 | 4 | 0 |
| Failed | 2 | 3 | 1 | 1 |

 ❖

Washington Administrative Code — Activities and Updates

Executive Order On Regulatory Improvement -

The Board is nearing completion of a 13 month long project mandated by Governor Locke's Executive Order On Regulatory Improvement. The Executive Order required each state agency to review rules that have significant impact on business, labor, consumers, and the environment. Agencies must determine if their rules should be retained in their current form, or be amended or repealed. Rules identified for amendment or repeal will go through the rulemaking process identified in the Administrative Procedures Act which includes stakeholder notification and involvement. The Board appreciates the time and effort of those individuals that provided comments to the Board during this process.

Continuing Education —

The Board is attempting to clarify the continuing education rules particularly in regard to some confusion that has occurred because specific examples of "regional behavioral science organizations" were listed in the rule. Please note that these examples are not the only associations that can offer continuing education credit. The Board will attempt to word this rule in general terms.

The Board will also be proposing that service on the Board will no longer be counted as a CE activity. CE credit for service on the Board was more consistent with prior CE rules that had several additional categories of

continuing education, besides courses, seminars, and workshops. Credit for Board service seems less consistent with current CE requirements.

The Washington State Psychological Association has petitioned the Board to consider including hours spent teaching courses as part of the sixty (60) hour requirement. Licensees were asked in a recent mailing to provide input on this proposal.

Additionally, the Board is reviewing information on innovative continuing competency processes being considered in other jurisdictions. Some of the ideas discussed include self-assessment of individual learning needs and developing individualized plans to meet those needs. Additional components include identified methods of re-assessment for continuing competency, assessment for learning following each educational activity, and peer practice review.

Education & Experience Requirements and Parenting Evaluation Standards —

Last Fall, two open public input sessions were held on these topics. The Board received many helpful comments and continues to review and consider the suggestions made. Once proposals are finalized, they will be distributed to licensees and other interested persons for input prior to being scheduled for rulemaking hearings.

The Board invites comments on any of these ideas, or other suggestions to enhance the Washington Administrative Code pertaining to psychologists. ❖

Fee Setting Methodology

Fee Setting Authority and Purpose *Who determines how much professional licensing fees are?*

By state law, all professional licensing fees are set by the Secretary of the Department of Health. The Secretary adjusts these fees as necessary to ensure that adequate program revenue is generated to cover the costs of that program. All licensing revenue received by the Department is transmitted to the State Treasurer's office and held in the Health Professions Account by professional program.

Fee Setting Principles

What principles or philosophies does the Department of Health use when setting fees?

Each health profession is self-supporting through revenue collected by fees assessed to applicants and licensees. No general fund dollars are used to support professional licensing activities.

Revenue balances are carried forward to the next biennium. A biennium equals two fiscal year periods. The current biennium ends June 30, 1999 and the next biennium begins July 1, 1999 and ends June 30, 2001.

Long range planning is used to minimize frequency of fee changes. Initiative 601 limitations must be considered when raising fees. If a profession is collecting revenue in excess of its expenditures, a fee reduction may be warranted. A gradual fee reduction over several bienniums is more desirable than drastic reductions one biennium and increases the next.

Fee studies are a public process. Principles and requirements of the Governor's Executive Order on Regulatory Reform are followed.

Allotment authority, program expenditures and revenue correlate to individual health profession business plans and accounts. Business plans are developed to support/justify requests for allotment (spending authority) and fee changes.

Program Costs

What activities are factored into program costs?

Business operating costs include, but are not limited to the following:

- w Staff salaries and benefits
- w Building/meeting room rent
- w Travel
- w Equipment
- w Agency overhead

Licensing & examination costs include, but are not limited to the following:

- w Examination facilities
- w Pro-Tem examiners
- w Travel
- w Supplies/ equipment
- w Staff & board costs for processing and reviewing applications, scheduling examinations, issuing licenses, etc.
- w Renewal and continuing education audit processing

Disciplinary costs include, but are not limited to the following:

- w Receiving and processing complaints

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Fee Setting Methodology

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- w Staff, rent, supplies, travel, etc.
- w Settlement and hearing processes
- w Compliance monitoring

Fee Amounts

Why do fees vary so much from one profession to the next?

1. Population size of the profession.

Total costs are divided by the number of licensees and/or applicants to arrive at individual fees. Smaller professions have fewer individuals to spread costs to, therefore their fees are typically higher than those in larger professions.

2. Frequency/costs of examinations.

State constructed and administered examinations are typically more costly than national examinations. Most of the professions within the Department of Health have moved to national examinations and have eliminated their practical/oral examinations.

3. License renewal schedule/workload.

The number of renewals processed and the complexity of the process vary. Some professions require continuing education, which must be reported and audited at renewal time.

4. Disciplinary workload. Renewal fees cover the majority of costs for the complaint and disciplinary process. The number of complaints

received vary from profession to profession.

Fee Study

What is a Fee Study?

A fee study is a process used by the Department of Health to identify costs for specific activities (such as identifying appropriate professional licensing fees). The model used by the Department includes the following activities:

- w Survey current workload and project future workload
- w Compute staff resources – identify staffing levels needed to accomplish approved activities (include indirect costs and service unit costs)
- w Compute direct and indirect transaction costs
- w Identify revenue collecting activities (applications, examinations, renewals, etc.) and estimate number of transactions within those activities.
- w Compute transaction/fee costs
- w Communicate process/data analysis

Psychology Fee Schedule

Some fees charged to applicants and licensees have been modified according to the following schedule. The new fees are effective July 1, 1999.

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Fee Setting Methodology

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| Fee Title | Current Fee | New Fee (as of July 1, 1999) |
|--|----------------|---------------------------------|
| Application | \$250.00 | \$225.00 |
| Renewal | \$275.00 | \$225.00 |
| Renewal retired active | \$175.00 | \$100.00 |
| Late renewal penalty | \$100.00 | \$112.50 |
| Expired license reissuance | \$137.50 | \$112.50 |
| Duplicate license | \$25.00 | \$25.00 |
| Written exam administration | \$80.00 | \$0 |
| Oral examination | \$250.00 | \$250.00 |
| Certification of license | \$25.00 | \$25.00 |
| Amendment of certificate of qualification | \$30.00 | \$30.00 ❖ |

Psychology Web Page Available

The Department of Health has developed Web pages for the health professions boards and commissions. The Internet address for the Department of Health is: **www.doh.wa.gov/about/about.htm#HSQA**. The Internet address for the Examining Board of Psychology is: **www.doh.wa.gov/hsqa/hpqad/psychology/default.htm**.

Webpage information that is currently available:

- w Addresses
- w Board information
- w Comments or questions

- w Complaint information
- w Examination Schedule
- w Fee Schedule
- w Meeting Schedule
- w Program Staff
- w RCWs relating to psychology
- w WACs relating to psychology

Plans are underway to add more informatoin to these webpages in an effort to better serve you. Please try our webpages out and give us your feedback. ❖

Disciplinary Actions

In February, the Psychology Board suspended the license of M. Douglas Anderson (PY1358) for five years. Anderson had a sexual relationship with a client. He may request reinstatement or modofication when he completes at least three years of therapy for sexual misdconduct issues,

undergoes an evaluation, pays a \$5,000 fine, and complies with all other conditions of the order.

In May of 1998, the Psychology Board issued a Statement of Charges to James Goodwin, Psy.D. for failure to comply with an order issued by the Board. ❖

Definitions of Disciplinary Terms

The following definition of terms are provided to give a greater understanding of the complaint process. They are not legal definitions. Summaries of disciplinary actions taken by the Board are published in this newsletter.

Report - When information is received stating a concern about a licensed psychologist, it is considered to be a report. Reports are assessed weekly by Department of Health staff and by a panel of three members of the Examining Board of Psychology (Board).

Intake - An administrative process where a staff member sets up the file, checks the credential status of the psychologist, and researches prior disciplinary history. Information received is logged into the computer tracking system. A unique identifier is assigned, and the timelines for each part of the process are calculated in the event the report becomes a complaint.

Assessment - An initial determination made regarding whether or not there is a potential violation, whether or not the board has jurisdiction, and whether or not the case should be investigated. All reports about licensed psychologists are presented to a panel of three Board members. The Panel convenes weekly by telephone. The report is reviewed and the decision is made to investigate, send for legal review, or close. Reasons for closure at this point could be:

w No jurisdiction (allegations which are not a violation of the psychology regulations or the Uniform Disciplinary Act);

w Below threshold (allegations do not rise to the level of severity to warrant expenditure of resources. The Board has established specific criteria to identify below threshold cases), or

w No cause for action (evidence does not support the allegation, or may even disprove the allegation).

Complaint - If the decision is made to investigate a report, it then becomes a complaint.

Respondent - The licensed psychologist or applicant about whom the report/complaint is made. All respondents will receive notice of the existence of a report/complaint immediately after initial assessment, unless such notification would impede an effective investigation. The respondent may submit a written statement to be included in the file regarding the allegations.

Investigation - The process by which Department of Health investigators gather information regarding the complaint. Information may be gathered from a variety of sources such as interviews, records, and written statements. During the investigation, the respondent will be advised of the complaint and may at any point in the process seek legal representation at their own expense.

Case Disposition Decision - The facts and information collected during the investigation is reviewed by DOH staff and by a member of the Board. The reviewers make recommendations to the Board whether there is evidence of a violation of the Psychology

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Definitions of Disciplinary Terms

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Practice Act, the Uniform Disciplinary Act, or Washington Administrative Code (rules). Cases are then presented to the Board (or a panel of the Board), in closed session without revealing the practitioners' name or location. The Board decides whether the case should be closed or whether some action should be taken.

Notice of Correction And Notice of Violation – An administrative action whereby the psychologist is notified that a minor violation of a statute or rule has been documented and the psychologist is given a reasonable period of time to correct the violation. Notices of Violations are used instead of Notices of Corrections when the infraction is identified during a technical assistance visit that was requested by the psychologist. Notices of Correction and Violation are not appealable under the Administrative Procedures Act and, by law are not subject to public disclosure unless requested specifically.

Statement of Allegations And Stipulation To Informal Disposition – An administrative notification of a violation and an opportunity to reach informal resolution. Certain sanctions may be agreed upon without formal disciplinary action. The decision to utilize a Statement of Allegations and Stipulation to Informal Disposition instead of other dispositions is made on a case-by-case basis. By law Statements of Allegation and Stipulations To Informal Disposition are not subject to public disclosure unless requested specifically.

Statement of Charges – A formal initiating document alleging a violation of the psychology practice act, Uniform Disciplinary Act, or Washington Administrative Code relating to psychologists. A Statement of Charges notifies the psychologist of what the alleged violations are, and what choices she or he has in responding to the charges. These choices and the Disciplinary Authority's processes are governed by the Administrative Procedures Act, Chapter 34.05 RCW. Statement of Charges for most serious violations.

Settlement - An opportunity for the Board and the respondent to come to an agreement about what will be an acceptable resolution to the charges so that a formal hearing can be avoided. If a proposed settlement is agreed to by the parties, the Stipulation and Agreed Order is presented to the Board for approval. If the settlement is accepted, it becomes the final decision or "Order".

Pre-hearing Conference – The Pre-hearing Conference is designed to make the formal hearing process more efficient by determining all evidence to be presented, the number of witnesses to be heard, and the length of the hearing. A Health Law Judge conducts the conference and rules on all motions and matters of evidence, and issues pre-hearing orders concerning these matters.

Formal Hearing – A formal adjudicative proceeding which provides an opportunity for both the respondent and the state to be heard by the Board prior to the entry of a

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Definitions of Disciplinary Terms

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final order. Evidence and statements may be entered into the record, and witnesses may be called to testify. The respondent has the opportunity to question any witnesses, to introduce documents and to bring witnesses to support his/her case. The Assistant Attorney General Prosecutor presents the case for the State. The Board deliberates in closed session on the evidence presented and issues its decision in the form of a "final Order."

Suspension - A disciplinary sanction option that prohibits the licensee from practicing in Washington for a specific period of time and/or until specific conditions have been met.

Stayed Suspension - A disciplinary sanction option that allows a license suspension to be postponed. Professional practice may continue so long as the licensee complies with specific probationary terms and conditions. Violation of the stay may result in suspension.

Revocation - A disciplinary sanction option that terminates the psychologist's license by withdrawing his or her privilege to practice psychology in this state.

Reinstatement - When conditions of an order have been met, the practitioner may request removal of conditions or full reinstatement. This request is submitted in writing, and respondents may be required to appear before the Board before a final decision is made. ❖

Complaint Results

| Complaint Type | 1998 Complaints | |
|---------------------------------------|-----------------|-------------|
| | Received | Resolved |
| Sexual Misconduct..... | 5 | 0 |
| Gross Incompetence | 1 | 1 |
| Standard of Care | 5 | 5 |
| Failure to Comply with Order | 2 | 1 |
| Beyond Scope | 1 | 1 |
| Misrepresentation/Fraud | 4 | 3 |
| Specialty Representation | 1 | 0 |
| Fee Dispute | 2 | 2 |
| Questionable Conduct | 32 | 23 |
| Other | 6 | 4 |
| Other Jurisdiction | 1 | 1 |
| Total Complaints Received..... | 60 | 41 ❖ |

Newly Licensed Psychologists

The Washington State Examining Board of Psychology is pleased to announce that the following psychologists were licensed this year to date.

| | |
|--------------------------------|------------------------------|
| Niloofar Afari, Ph.D. | Suzanne LaCross, Ph.D. |
| Dan B. Allender, Ph.D. | Danielle Lavalley, Ph.D. |
| Lora L. Armfield, Ph.D. | Roderick K. Mahurin, Ph.D. |
| Majid Azzedine, Ph.D. | Nahid Markosian, Ph.D. |
| Noel Bauman, Ph. D. | Jacob John Mathew, Ph.D. |
| Ellen Begley, Ph.D. | Michele Susan Meola, Ed.D. |
| Dahna Berkson, Ph.D. | Kenneth A. Miles, Ph.D. |
| Christopher J. Blodgett, Ph.D. | Cassandra Nichols, Ph.D. |
| Kristi Breen, Ph.D. | Terry O'Neil, Ph.D. |
| Kristen Brewer, Ph.D. | George A. Parks, Ph.D. |
| Debra D. Brown, Ph.D. | Desiree Prisman, Ph.D. |
| John Cardinali, Ph.D. | Julie Quamma, Ph.D. |
| Mariana Cherner, Ph.D. | Susan Rahman, Ph.D. |
| Carla Cohen-Glick, Ph.D. | Michael Dean Rattray, Ph.D. |
| David Crump, Ph.D. | Ralph Richardson, Ph.D. |
| Mahlon Dalley, Ph.D. | James Rogers, Ph.D. |
| Tania Michelle Davis, Ph.D. | Marilyn Ann Ronnei, Ph.D. |
| Emily Ettling Elliott, Ph.D | Michael Lee Russell, Ph.D. |
| Greg Ford, Ph.D. | James Sardo, Ph.D. |
| Karen Franklin, Ph.D. | Alvin Seifert, Ph.D. |
| Evan Freedman, Ph.D. | Monica Ann Smith, Ph.D. |
| Katie Gienapp, Ph.D. | Ted J. Stagner, Psy.D. |
| John David Gilbert, Ph.D. | Susan B. Sterling, Ph.D. |
| Gretchen Gundrum, Ph.D. | Kelly Strong, Ph.D. |
| William Hall, Ph.D. | Mark Thomas Summerson, Ph.D. |
| Robin Ann Hanks, Ph.D. | Ruby Yukino Takushi, Ph.D. |
| Honora Hanley, Ph.D. | Christopher Thurber, Ph.D. |
| Jacqueline Head, Ph.D. | Robert Anthony Torres, Ph.D. |
| Susan Hickman, Ph.D. | Launi A. Treece, Ph.D. |
| Sally D. Hildebrand, Ph.D. | Marcia Webb, Ph.D. |
| Julee K. Huggins, Psy.D. | Chris Wellford, Ph.D. |
| Diane Isler, Ph.D. | Kimberly Wheeler, Ph.D. |
| William Isler, Ph.D. | Arthur Williams, Ph.D. |
| Gayle Jensen, Ph.D. | Elizabeth J. Wilson, Ph.D. |
| Karen Elyse Karpman, Ph.D. | Lucene Wisniewski, Ph.D. |
| Shelley Kerr, Ph.D. | Jonathan Wulf, Ph.D. |
| Steven Kubacki, Ph.D. | Masaki M. Yamada, Ph.D. |
| Paul Kwon, Ph.D. | Daniel Yanisch, Ph.D. ❖ |

Reference

Examining Board of Psychology

John Ernst, Ph.D., ABPP, Chair
Carlton Glenn, Public Member, Vice Chair
Joseph Barber, Ph.D., ABPH
Glen Frese, Psy.D.
Joanne Ito, Ph.D.
Mary F. Miller, Ph.D.
Lisa Richesson, Public Member
Dean Funabiki, Ph.D.
Gloria Rose Koepping, Ph.D.

Department of Health Staff

Laurie Jenkins, Executive Director
Janice K. Boden, Program Manager
Margaret Gilbert, Staff Attorney
Sharon Strachan, Administrative Assistant
Cable Wolverton, Program Representative

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Examining Board of Psychology
1300 Quince Street S.E.
P.O. Box 47869
Olympia, WA 98504-7869

Email

Email: jkb0303@doh.wa.gov

Phone/Fax

360/236-4910 telephone
360/664-9484 fax

Important 1999 Board Dates

April 14, 1999 Written Exam
May 14, 1999 Board Meeting
June 11, 1999 Board Meeting
July 9-10, 1999 Oral Exam
September 10, 1999 Board Meeting
October 8, 1999 Board Meeting
October 13, 1999 Written Exam
November 12, 1999 Board Meeting
December 10, 1999 Board Meeting

To ensure receipt of your annual renewal notice and other timely information, please keep the Washington State Examining Board of Psychology informed of any change in your address.

Address Change Form
(Please type or print in ink)

License # _____

Name _____

Old Address _____

New Address _____

Effective Date _____ Signature _____

A licensee's address is not open to public disclosure except under circumstances defined in law, RCW 42.17. The address the Board has on file for you is used for all mailings, renewal notification and public disclosure.

Send completed form to the Board office by folding, stapling and placing postage on the reverse side of this page, which is pre-addressed, or by sending to:

EXAMINING BOARD OF PSYCHOLOGY
DEPARTMENT OF HEALTH
1300 QUINCE ST SE
P.O. BOX 47869
OLYMPIA WA 98504-7869

FOLD HERE

PLACE
STAMP
HERE

EXAMINING BOARD OF PSYCHOLOGY
Department of Health
1300 Quince ST SE
P.O. BOX 47869
Olympia WA 98504-7869

FOLD HERE

TAPE HERE



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